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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17 PIOTR JASZCZYSZYN, Individually and on)
Behalf of All Others Similarly Situated,)
18)
Plaintiff,)
19)
v.)
20)
SUNPOWER CORPORATION, PETER)
21 FARICY, and MANAVENDRA S. SIAL,)
22 Defendants.)
_____)

Case No. 3:22-cv-00956-AMO

**STIPULATION AND ORDER TO
CONTINUE HEARING ON
DEFENDANTS' MOTION TO
DISMISS**

1 WHEREAS, on February 16, 2022, plaintiff Piotr Jaszczyszyn commenced the above-
2 captioned action against defendants SunPower Corporation, Peter Faricy, and Manavendra S. Sial
3 (collectively, “Defendants”), alleging violations of Sections 10(b) and 20(a) of the Securities
4 Exchange Act of 1934, as amended by the Private Securities Litigation Reform Act of 1995 (the
5 “PSLRA”) (ECF No. 1);

6 WHEREAS, on October 13, 2022, the Court appointed Steamfitters Local 449 Pension &
7 Retirement Security Funds as lead plaintiff (“Lead Plaintiff,” together with Defendants, “Parties”)
8 (ECF No. 49);

9 WHEREAS, on October 27, 2022, the Court ordered a schedule for Lead Plaintiff to file
10 an amended complaint, and for briefing and a hearing on Defendants’ motion to dismiss the
11 amended complaint (ECF No. 52);

12 WHEREAS, Lead Plaintiff filed an amended complaint on December 15, 2022 (ECF No.
13 55);

14 WHEREAS, Defendants filed a motion to dismiss Lead Plaintiff’s amended complaint on
15 February 24, 2023 (ECF No. 63), Lead Plaintiff filed an opposition to Defendants’ motion on April
16 21, 2023 (ECF No. 67), and Defendants filed a reply in support of their motion by June 12, 2023
17 (ECF No. 75);

18 WHEREAS, on May 10, 2023, this action was reassigned to the Honorable Araceli
19 Martinez-Olguin, and all scheduled hearing dates were vacated (ECF No. 69);

20 WHEREAS, on July 7, 2023, the hearing on Defendants’ motion to dismiss was reset to
21 Thursday, October 5, 2023 at 2 p.m. (ECF No. 79);

22 WHEREAS, counsel for Defendants cannot attend the October 5, 2023 hearing due to
23 previously scheduled obligations outside the country in another matter;

24 WHEREAS, the Parties conferred regarding their schedules and the Court’s calendar and
25 agreed that all Parties could be available for a hearing on Thursday, October 26, 2023, at 2 p.m.;

26 WHEREAS, the schedule set forth herein will not affect any existing case schedule;

NOW, THEREFORE, IT IS HEREBY STIPULATED, by and between the undersigned, subject to approval of this Court, that the hearing for Defendants' motion to dismiss shall be continued and reset to Thursday, October 26, 2023 at 2 p.m. in San Francisco, Courtroom 10, 19th Floor before Judge Araceli Martínez-Olguín.

Dated: July 10, 2023

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

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*Attorneys for Defendants SunPower Corporation,
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Dated: July 10, 2023

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*Attorneys for Lead Plaintiff Steamfitters Local 449
Pension & Retirement Security Funds*

Pursuant to Civil L.R. 5-1(i)(3), all signatories concur in filing this stipulation.

Dated: July 10, 2023

/s/ Katherine L. Henderson
Katherine L. Henderson

* * *

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____, 2023

HONORABLE ARACELI MARTÍNEZ-OLGUÍN
United States District Judge